

Proposed Draft Plan of Subdivision Municipal Conditions for Seaside Waterfronts Inc.

1. That the Owner must enter into a subdivision agreement, pursuant to the authority of section 51(26) of the *Planning Act*, as amended, with the Municipality wherein the owner agrees to satisfy all the requirements, financial and otherwise, of the Municipality respecting the conditions of approval set out herein, and the laying out and development of the site, the installation of facilities and services including roads, on-site sewage collection systems, which includes the following:
 - a. The owner agrees to satisfy all financial requirements including outstanding Municipal Property taxes and invoices for services provided.
 - b. All development and onsite services must be erected and maintained in accordance with the Municipal Class Environmental Assessment, Environmental Study Report Update, prepared by Gary Blazak and MTE, January 2020.
 - c. The development shall be serviced by municipal water with a connection and meter chamber at the property line at the developer's expense. The Municipality shall confirm that there is uncommitted reserve water treatment capacity to service the development.
 - d. The development shall be serviced by a privately owned and operated piped water system at the developer's expense.
 - e. The development shall be serviced by a privately owned and operated sewage system and sewage treatment plant as per the Municipal Class Environmental Assessment and shall be operated by an MOECC licensed operator.
 - f. Approval and license must be obtained from MOECC for the privately owned and operated sewage treatment plant prior to any development requiring a building permit.
 - g. An Environmental Compliance Approval must be obtained from the MOECC for storm water management in advance of any development same as above. That the Owner obtain an Environmental Compliance Approval from the Ministry of the Environment and Climate Change for storm water management prior to any development requiring a building permit. The subdivision agreement shall contain provisions regarding the development, implementation, installation, and maintenance of the storm water management facilities.
 - h. Any unplugged oil or gas wells discovered during the development process must be plugged in accordance with the Oil, Gas and Salt Resources Act.

- i. That all Lower Thames Valley Conservation Authority requirements including all necessary permits for development within the regulated area as defined by the regulation under the Conservation Authority's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation, O. Reg. 152/06 under the Conservation Authorities Act be met and issued prior to commencing any development, as defined by the Conservation Authorities Act, and/or grading on the site.
 - j. On-site archaeological monitoring must be provided at the developer's expense during any physical excavation of the subject lands in accordance with the recommendations of the Archaeological assessment (stage 4), prepared by Mayer Heritage Consultants Inc., February 2008; Addendum to archaeological assessment (stages 1 to 3), March 2010 and 2013 (stage 4 investigation of location 15); Archaeological assessment (stages 1 & 2), Port Glasgow commercial block, prepared by Mayer Heritage Consultants Inc., February 2012; and, Archaeological assessment (stages 1 & 2), Port Glasgow stormwater management pond, prepared by Mayer Heritage Consultants Inc., October 2013.
 - k. On-site construction and post-construction monitoring program at the developer's expense, by a qualified ecological consultant to protect and enhance Natural Heritage resources in accordance with the EIS completed by Biologics Inc., May 2015 with November 2015 addendum.
 - l. Develop the property in accordance with the recommendations from the geotechnical assessment revised report, prepared by Golder Associates, May 2016.
- 2. That all recommendations from the EIS completed by Biologics Inc., May 2015 with November 2015 addendum be incorporated in the final subdivision.
 - 3. That the subdivision agreement contains a provision, prepared to the satisfaction of the Municipality regarding phasing or timing of the development.
 - 4. That the subdivision agreement between the owner and the Municipality be registered against the lands to which it applies once the plan of subdivision has been registered.
 - 5. That the subdivision shall be registered in phases, in accordance with an approved phasing registration plan, to the satisfaction of the Municipality and the County of Elgin.
 - 6. That the owner conveys up to five (5%) of the land included in this plan for the Municipality for park or other recreational purposes or alternatively the Municipality may require cash-in-lieu of all or a portion of the conveyance.

7. That prior to final approval the Municipality shall advise that appropriate zoning is in effect for the plan of subdivision.
8. That the owner shall provide easements as may be required for services, utility, or drainage purposes in a form satisfactory to the Municipality or utility.
9. That the subdivision agreement between the owner and the Municipality contain a provision requiring the owner to install geodetic monuments within the subdivision. The number, specifications and location of the monuments are to be approved by the Municipality prior to final plan approval and registration.
10. That a lot grading plan for all blocks has been prepared and approved by the Municipality as part of the subdivision agreement.
11. That the owner has entered into a Municipal Responsibility Agreement between the owner and the Municipality which will require sufficient financial assurance should the Municipality be required to assume the operation of the sewage collection and treatment systems (sanitary and storm) in the event of default by the owner.
12. That the Owner is required to prepare an erosion and sediment control plan applicable to the proposed phase, to the satisfaction of the Municipality and the Lower Thames Valley Conservation Authority prior to commencement of any development, as defined under the Conservation Authorities Act, including grading and /or site alteration works upon the subject lands. The owner is responsible for submitting regular inspections to the Municipality and the Conservation Authority for their approval. This condition only applies to construction for land within the Conservation Authority's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation, O. Reg 152/06 under the Conservation Authorities Act.
13. That the Owner shall be responsible for implementing and maintaining sediment and erosion controls on the subject lands until such time as the subject lands are fully developed.